HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

WRIT PETITION Nos. 25360 of 2006 & W.P. Nos. 26510 of 2006 and 26509 of 2006

Date: 6.12.2006

Between:

1. The Government of A.P. represented by its Secretary, now Principal Secretary, TR&B Department, Secretariat, Hyderabad and another.

Petitioners.

And

1. Sri B. Madhava Rao, S/o. B. Tirumala Rao, I/c. Exectuive Engineer (R&B), O/o. EE (R&B), Mancherial, Now I/c. Chief Engineer (Bldgs.), Errummanzil, Hyderabad & others.

Respondents.

HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

WRIT PETITION Nos. 25360 of 2006 & W.P. Nos. 26510 of 2006 and 26509 of 2006

COMMON ORDER: (Per Smt. Justice T. Meena Kumari)

These writ petitions are directed against the order of the A.P. Administrative Tribunal, Hyderabad, dated 30.8.2005 in O.A. Nos.3531, 4703 and 4984 of 2005 and to quash the same as illegal, arbitrary and not maintainable.

The brief facts of the case are that the unofficial respondents herein are the applicants and the petitioners are the respondents. Aggrieved by the inaction on the part of the petitioner-Department in reviewing the promotions made to the unofficial respondents basing on G.O. Ms. No.72, TR&B Department, dated 6.5.2000 and G.O. Ms. No. 181, dated 30.12.2000 which were superceded by G.O. Ms. No.37, 150 and 56, 129, TR&B Department, dated 23.3.2002, 31.8.2002, 17.5.2004 and 17.9.2004 respectively, the unofficial respondents have filed OA. Nos. 3531 of 2005, 4703 and 4984 of 2005 before the A.P. Administrative Tribunal seeking review of the promotions made in favour of the unofficial respondents basing on G.O. Ms. No.72, dated 6.5.2000.

The Tribunal by the order impugned in these writ petitions dated 30.8.2005 in order to protect the interest of the applicants-unofficial respondents, gave interim direction to the Department to review the promotions made in favour of the applicants-unofficial respondents basing on G.O. Ms. No.72, dated 6.5.2000 in view of the fact that the said

G.O. has been set aside by this Court. The Tribunal further directed the Department that the review should be made as per the seniority list issued vide G.O. Ms. No.129, dated 17.9.2004 to the category of Executive Engineers and Superintending Engineers within a period of three weeks from the date of receipt of a copy of the said order. Aggrieved by the said order, the Department filed the present writ petitions.

Learned Government Pleader for Services-II would contend that even though the status-quo order granted by this court is in force, the Tribunal has granted interim direction on 30.8.2005 directing the Department to review the promotions made in favour of the unofficial respondents-applicants in the O.As . Further, when the Department has filed VMAs., before the Tribunal, the Tribunal instead of disposing of those petitions has posted them along with the O.As. He, therefore, prayed that the order passed by the Tribunal on 30.8.2005 be quashed.

On the other hand, Sri Y. Ratna Reddy, learned counsel appearing on behalf of the unofficial respondents has submitted that the Department has filed vacate petitions nearly after a period of one year before the Tribunal seeking vacation of the order dated 30.8.2005 and the VMAs., Were directed to be listed with the O.As. for final hearing. He, therefore, prayed that a direction may be issued to the Tribunal to dispose of the VMAs and the O.As., expeditiously.

On a perusal of the order impugned in the writ petitions, it is seen that the interim order was passed by the Tribunal on 30.8.2005. Thereafter, the Tribunal on 21.9.2006 while admitting O.A. Nos. 3531,4984 and 4703 of 2005 has directed that the O.As. be posted along with V.M.A. Nos. 1040, 1063,1919, 548,812 of 2005 and VMA Sr. No. 14397 of 2005 before the appropriate Court for hearing.

In the circumstances, without going into the merits of the case, we feel it

appropriate to dispose of the writ petitions with a direction to the Tribunal to dispose of the V.M.As., and O.As. as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petitions are accordingly disposed of with the above directions. No costs.

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T. MEENA KUMARI, J

Date: 06.12.2006

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P. LAKSHMANA REDDY, J

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